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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

DEPARTMENT OF COMMUNICATIONS

(Posts & Telegraphs Board)

NOTIFICATION

New Delhi, the 20th September 1966

G.S.R. 1493.—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (13 of 1885), the Central Government hereby makes the following rules further to amend the Indian Telegraph Rules, 1951, namely:

1. (1) These rules may be called the Indian Telegraph (Fourth Amendment) Rules, 1966.

(2) They shall come into force on the 1st Oct., 1966.

2. In the Indian Telegraph Rules, 1951 (hereinafter referred to as the said rules), rule 160 and clauses (1) to (12) thereof shall be renumbered as sub-rule (1) of that rule and clauses (a) to (i) of sub-rule (1) respectively and after sub-rule (1) as so renumbered, the following sub-rule shall be inserted, namely:—

“(2) Notwithstanding the provisions of sub-rule (1), a refund of full charge less fifty paise shall be payable, without any application or complaint, on each telegram, whether express or ordinary, booked and meant for delivery within India, if the same is delayed due to interruption or congestion of telegraph circuit or other similar cause and reaches the office of destination after the expiry of more than twenty-four hours, in the case of an express telegram and forty-eight hours in the case of an ordinary telegram, of the time of booking:

Provided that no refund shall be payable under this sub-rule, in case—

- (i) the telegram was not sent by post for part or whole of its route; or
- (ii) the office of origin had informed the sender, at the time of booking the telegram, that the telegram is likely to be delayed.”.

3. For rule 162 of the said rules, the following rule shall be substituted, namely:—

“162. (1) Complaints respecting inland telegrams and claims for refund of charges paid thereon shall be made either to the Officer-in-Charge of the telegraph office where the telegram was booked or to the Officer-in-Charge of the telegraph office of delivery within forty-five days of the date of booking of the telegram.

(2) Every such claim or complaint shall be accompanied by documentary evidence of the nature specified below, namely:—

- (a) in case of non-delivery or of delay, the receipt (Rule 67) granted for telegram and a written statement from the addressee;
- (b) in case of alteration or omission, the copy of the telegram delivered to the addressee;
- (c) in case of an unused reply telegram form (Rule 98), the reply telegram form delivered to the addressee;
- (d) in case of paid service advices (Rule 154), the receipt for the repetition message and the correction memorandum granted in connection therewith by the telegraph office of delivery;
- (e) in case of delay due to posting [sub-rule (2) of rule 160], the receipt (Rule 67) and the refund certificate (MR-54) issued by the telegraph office of delivery;
- (f) in all other cases, the receipt (Rule 67) granted for the telegram.

(3) No complaint or claim for refund shall be entertained unless the same is received by the concerned Officer-in-Charge within forty-five days from the date of booking of the telegram in respect of which the complaint or claim is made.”.

4. For rule 164 of the said rules, the following rule shall be substituted namely:—

“164. **Period of preservation.**—The originals of inland telegrams and all documents relating to them, shall be retained and preserved as follows:—

(a) ‘A’ message drafts of inland telegrams, other than those referred to in clauses (c), (d) and (e), shall be retained in the concerned telegraph office of origin for a period of two months and shall thereafter be sent to the Telegraph Check Office where, with the exception of ‘A’ message drafts referred to in clause (b), they may be destroyed, if no longer required for any specific purpose.

(b) ‘A’ message drafts of (i) Frontier telegraph offices relating to Indo-Pakistan, Indo-Ceylon and Indo-Nepal messages and (ii) telegraph money order advices shall, after receipt in the Telegraph Check Office, be preserved for a period of six months reckoned from the beginning of the month following that in which the telegrams were booked and may then be destroyed, if no longer required for any specific purpose.

(c) ‘A’ message drafts of the following classes of telegrams shall be retained in the concerned telegraph office for a period specified below against each class of telegram and shall then be sent to the Telegraph Check Office where they shall be preserved for a period of two months from the date of booking, and may thereafter be destroyed, if no longer required for any specific purpose:—

Classes of telegrams	Period of retention in telegraph Offices
(i) Bearing press messages	One week
(ii) Mobilisation messages	Till the third of the month following the month of booking.
(iii) Interchanged Railway messages	One month.

(d) 'A' message drafts booked by the Meteorological Department during the period from 8th to 14th in the months of January and July shall be sent to the Telegraph Check Office in the first week of the month following that in which the telegrams were booked in a separate bundle superscribed "Inland Weather Messages and statement of _____ Telegraph Office for the month of _____". In case no telegrams are booked during the aforesaid period of January or July, the 'A' message drafts of telegrams booked during the period from 15th to 21st of January or July, as the case may be, or falling thereafter, all the telegrams booked during these months, shall be sent to the Telegraph Check Office in the month following that in which the telegrams were booked.

(e) 'A' message drafts booked by the Meteorological Department on other days shall not be sent to the Telegraph Check Office but shall be preserved in the concerned telegraph office for a period of two months from the date of booking and may thereafter be destroyed, if not required for any specific purpose.

(f) 'B' and 'C' message drafts, other than those of Indo-Pakistan, Indo-Ceylon and Indo-Nepal telegrams received by frontier telegraph offices; and telegraph money order advices, shall be retained in the concerned telegraph offices for a period of two months and may thereafter be destroyed if not required for any specific purpose.

(g) 'B' and 'C' message drafts of frontier telegraph offices relating to Indo-Pakistan, Indo-Ceylon and Indo-Nepal telegrams shall be retained in the concerned telegraph offices for a period of two months and shall thereafter be sent to the Telegraph Check Office Calcutta, where they shall be preserved for a period of six months reckoned from the beginning of the month following that in which the telegrams were booked and may then be destroyed, if not required for any specific purpose.

(h) 'B' and 'C' message drafts of telegraph money order advices shall be preserved in the concerned telegraph offices for a period of six months reckoned from the beginning of the month following that in which they were booked and may then be destroyed, if not required for any specific purpose.

Explanation.—In this rule and in rule 380.—

- (i) 'A' message draft' means the original telegram booked by the sender at the telegraph office of origin;
- (ii) 'B' message draft' means the telegram received at a telegraph office from another telegraph office for the purpose of retransmission; and
- (iii) 'C' message draft' means the telegram received at the telegraph office of delivery."

5. For rule 165 of the said rules, the following rule shall be substituted, namely:—

"165. **Inspection of Telegrams.**—Originals or copies of telegrams may be shown to the sender or addressee or authorised representative of either of them on proof, if required, of the identity of such person, provided the request for inspection is made within the prescribed period of preservation. A charge of fifty paise shall be made for such inspection."

6. For rule 166 of the said rules, the following rule shall be substituted, namely:—

"166. **Copies.**—The sender or addressee of an inland telegram or authorised representative of either of them may, on application made to the telegraph office concerned within forty-five days from the date of booking of the telegram, be furnished with certified copies or photographs—

- (a) of the telegram originally booked for transmission, or
- (b) of the copy delivered, if a duplicate of it has been retained."

7. For rule 169 of the said rules, the following rule shall be substituted namely:—

"169. **Extended preservation.**—(1) On the ground of pending or contemplated judicial proceedings, application may, within the period prescribed for the preservation of telegrams, be made by an interested party to the Officer-in-Charge of the telegraph office where the telegram in question was booked or from which delivered as the case may be, for further preservation of any specified inland telegram.

(2) On receipt of an application under sub-rule (1), such telegram shall not be forwarded to the Telegraph Check Office or destroyed, as the case may be, as required under rule 164, but shall be preserved in the telegraph office concerned for a further period of three months.

(3) At the expiration of the extended period the telegram shall, in default of another application, be disposed of as per normal rules.

(4) The duty of the Telegraph Department shall be confined to making the search and preserving the telegram, if found, and no information as to the result of the search shall be furnished, nor shall any telegram preserved under this rule be produced except on the order of a court of law or other competent authority."

8. In rule 170 of the said rules, for the words 'Check Office or the telegraph office as the case may,' the words 'telegraph office concerned,' shall be substituted.

9. For rule 375 of the said rules, the following rule shall be substituted, namely:—

"375. Complaints respecting telegrams and claims for refund of charges involving complaints against the Service may be made to the Officer-in-Charge of the telegraph office where the telegram was booked or the Officer-in-Charge of the telegraph office of delivery and claims for refund which do not involve complaints against the Service may be made to the Officer-in-Charge of the Telegraph Check Office:

Provided that claims for refund on account of (1) paid service advice (Rule 365), (2) overcharges on telegrams (Rule 233), or (3) telegrams cancelled before transmission has begun (Rule 248), if made within forty-five days of the date of booking of the telegram, be presented at the telegraph office at which such advice or telegram was booked."

10. For rule 380 of the said rules, the following rule shall be substituted, namely:—

"380. **Period of preservation.**—The originals of foreign telegrams and all documents pertaining to them shall be retained and preserved as follows:—

(a) 'A' message drafts of foreign telegrams and 'B' and 'C' message drafts of such telegrams (including radio telegrams) received by frontier telegraph offices and Indian Coastal Stations shall be retained for a period of two months in the telegraph offices concerned and shall thereafter be sent to the Telegraph Check Office, where they shall be preserved for a period of six months reckoned from the beginning of the month following that in which the telegram was booked and may then be destroyed if no longer required for any specific purpose.

(b) 'B' and 'C' message drafts of telegraph money order advices, other than those received by frontier telegraph offices and Indian Coastal Stations, shall be retained in the concerned telegraph offices for a period of six months reckoned from the beginning of the month following that in which the telegrams were booked and may then be destroyed, if no longer required for any specific purpose:

(c) All other 'B' and 'C' message drafts shall be retained in the concerned telegraph offices for a period of two months and six months respectively, reckoned from the beginning of the month following that in which the telegrams were booked and may thereafter be destroyed if no longer required for any specific purpose."

11. In rule 382 of the said rules, for the words "one month", the words "forty-five days" shall be substituted.

12. For rule 387 of the said rules, the following rule shall be substituted, namely:—

"387. Applications for inspection of foreign telegrams or for copies of such telegrams may be addressed to the telegraph office concerned or to the Officer-in-Charge of the Telegraph Check Office as the case may be, within the period of preservation specified in rule 380. Applications for photographs may be addressed to the Officer in Charge of the Telegraph Check Office."

[No. 35-30/65/T-2.]

S. R. BANERJEE,

Controller of Telegraph Traffic.